



DAE
JFW

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to MAIL STOP - OIPE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4-24-07
Date

Joanne Bourguignon
Joanne Bourguignon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Peeyush Ranjan and Niraj A. Shah
Application No. : 09/944,751
Filed : August 31, 2001
For : Method and System for Facilitating the Transfer of Funds
Utilizing a Telephonic Identifier

Examiner: Charles R. Kyle

Art Unit: 3624

Docket No.: 35014.040

Date : April 24, 2007

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)

Sir:

In response to the Notice Notice of Abandonment under 37 CFR 1.53(f) or (g) dated March 21, 2007, please find enclosed a copy of a properly itemized date-stamped postcard receipt; Response with a certificate of mailing in compliance with 37 CFR 1.8(a); Response Transmittal; Petition for Extension of time with a certificate of mailing in compliance with 37 CFR 1.8(a); copy of check; and copy of postcard for the above-identified application.

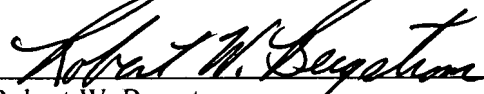
Applicants believe that no fee is due. But, at anytime during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account No. 50-2976 pursuant to 37 CFR 1.25. Additionally, please charge any fees to Deposit Account No. 50-2976 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. This notice is being submitted in duplicate.

The Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 50-2976. A duplicate copy of this response is enclosed.

Respectfully submitted,

Peeyush Ranjan and Niraj A. Shah

OLYMPIC PATENT WORKS PLLC



Robert W. Bergstrom

Registration No. 39,906

Enclosures:

Postcard

Copy of this Response

Copy of transmittal

Copy of Response

Copy of Extension of Time

Copy of postcard

Copy of return stamped postcard

Olympic Patent Works PLLC

P.O. Box 4277

Seattle, WA 98194-0277

206.621.1933 telephone

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Docket No.: 35014.040
Date: March 15, 2007

In re application of **Peeyush Ranjan et al.**
Application No.: **09/944,751**
Filed: **August 31, 2001**
For: **METHOD AND SYSTEM FOR FACILITATING THE
TRANSFER OF FUNDS UTILIZING A TELEPHONIC
IDENTIFIER**

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Transmitted herewith is a **response** in the above-identified application.
☒ A Petition for an Extension of Time for three months is enclosed.
☒ No additional claim fee is required.
☐ The fee has been calculated as shown.

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST PREV. PAID FOR	PRESENT EXTRA
TOTAL	* 84	MINUS	** 84	
INDEP.	* 3	MINUS	*** 3	
[] FIRST PRESENTATION OF MULTIPLE CLAIMS				
EXTENSION OF TIME FEE				
TOTAL ADDITIONAL FEE				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
	\$ 510
	\$ 510

OR

OTHER THAN A SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
	\$
	\$

OR

TOTAL

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.
- [] Please charge my Deposit Account No. 50- in the amount of \$. A duplicate copy of this sheet is enclosed.
 - [X] A check in the amount of **\$510** is attached.
 - [X] The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-2976. A duplicate copy of this sheet is enclosed.
 - [X] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - [X] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
Peeyush Ranjan et al.
*OLYMPIC PATENT WORKS *PLLC**

Robert W. Bergstrom
Registration No. 39,906

PATENT



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3-15-07
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Peeyush Ranjan and Niraj A. Shah
Application No. : 09/944,751
Filed : August 31, 2001
For : Method and System for Facilitating the Transfer of Funds
Utilizing a Telephonic Identifier

Examiner: Charles R. Kyle
Art Unit: 3624
Docket No.: 35014.040
Date: March 15, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR AN EXTENSION OF TIME
UNDER 37 C.F.R. § 1.136(a)

Sir:

Applicants herewith petition the Commissioner of Patents under 37 C.F.R. § 1.136(a) for a three-month extension of time for filing the response to the Office Action dated September 15, 2006, from December 15, 2006 to, March 15, 2007. Submitted herewith is a check in the amount of \$510 to cover the cost of the extension.

At anytime during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account No. 50-2976 pursuant to 37 CFR 1.25. Additionally, please charge any fees to Deposit Account No. 50-2976 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. This notice is being submitted in duplicate.

Respectfully submitted,

Peeyush Ranjan and Niraj A. Shah

OLYMPIC PATENT WORKS LLC

Robert W. Bergstrom
Robert W. Bergstrom
Registration No. 39,906

Enclosures:
Check
Copy of Petition

COPY

35014.040

Date Stamp



MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SENT: March 15, 2007
DUE: March 15, 2007
RESPONSE

Kindly acknowledge receipt of the below-listed documents by placing your receiving stamp hereon and mailing:

Check; Transmittal in duplicate; Extension of Time in duplicate; Response; USAN 09/944,751; in re: Peeyush Ranjan et al., for: Method and System for facilitating the transfer of funds utilizing a telephonic identifier.

OLYMPIC PATENT WORKS LLC

COPY

OLYMPIC PATENT WORKS, PLLC
705 SECOND AVE, STE. 1111
SEATTLE, WA 98104
PH: 206-621-1939

2984

PAY TO THE ORDER OF Commissioner for Patents

\$ 510.00

DOLLARS

Bank of America

Deer Horton 00604
Washington

FOR SDIC 040, D9 944, 751

Handwritten signature

MP



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Applicants : Peeyush Ranjan and Niraj A. Shah
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Examiner: Charles R. Kyle

Art Unit: 3624

Docket No.: 35014.040

Date: March 15, 2007

MAIL STOP AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSEINTRODUCTORY COMMENTS

Sir:

In response to the Office Action date September 15, 2006, please extend the time to respond three-months, from December 15, 2006 to March 15, 2007. The Petition for Extension of Time and requisite fee is enclosed. Please consider the following remarks:

REMARKS

Claims 1-50 are pending in the current application. In an Office Action dated September 15, 2006, the Examiner rejected claims 19-20 and 10-11 under 35 U.S.C. § 112, second paragraph, rejected claims 1, 3-4, 6-7, 9, 12-14, 16-21, 24-25, 27-31, 33, 34, 37, 39-42, and 44-50 under 35 U.S.C. § 102(b) as being anticipated by Nikander, U.S. Patent No. 6,029,151 ("Nikander "), and rejected claims 2, 5, 8, 10, 11, 15, 22, 23, 26, 32, 36, 38-39, and 43 under 35 U.S.C. § 103(a) as being unpatentable over Nikander. Applicants' representative respectfully traverses all of the above-listed rejections.

35 U.S.C. § 112, Second Paragraph, Rejections

Applicants' representative cannot understand the Examiner's stated rejection of claims 19 and 20. The Examiner states: "They respectively recite elements of a computer readable medium and system in conjunction with preceding method claims. The nature of the claims is as to whether they are apparatus or process claims." This statement does not state a rejection, but instead comprises a first declarative sentence concerning the subject matter of claims 19 and 20, and a second sentence that does not state a rejection. Claim 19 claims a computer readable medium containing computer instructions that encode the method of claims 1-18, and is a perfectly valid claim according to the USPTO's Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility. Claim 20 unambiguously, clearly, and distinctly claims a computer system. Applicants' representative knows of no statute or holding that would suggest that either of claims 19 and 20 is improper or indefinite.

Applicants' representative respectfully disagrees with the Examiner that "[o]ne of ordinary skill in the art would not know what constitutes a 'remote' account," as alleged by the Examiner in rejecting claims 10 and 11. The phrase "remote account" occurs in on line 15 of page 18 of the current application, and in step 804 of Figure 8. Both occurrences are directly related to subject matter discussing accessing of remote accounts. In addition, on page 8, line 26 to page 9, line 2, the current application discusses local and remote accounts databases, as follows:

The funding manager server 48 has access to a user accounts database 50 for storing user account information. The user accounts database 50 may be a locally stored and managed database, or alternatively, may include remote data management. Additionally, the user accounts database 50 may also be managed by third parties that may specialize in account and user funds management.

In view of this discussion, and in view of the extremely well-known meaning of the terms "remote" and "local" in computer science, computer programming, and systems engineering, Applicants' representative cannot find any basis for a 35 U.S.C. § 112, second paragraph, rejection of claims 10-11.

35 U.S.C. § 102(b) Rejections

Claim 1 of the current application is provided, below, as exemplary of claims 1-50:

1. A method for facilitating the processing of a transaction including the transfer of value between a first and a second user, said second user associated with a telephonic identifier, comprising:
 - obtaining a request from said first user to transfer a quantity of value to said second user, wherein said request includes said telephonic identifier associated with said second user;
 - accessing an account corresponding to said first user; and
 - transferring said quantity of value from said account corresponding to said first user to an account corresponding to said telephonic identifier associated with said second user.

As clearly stated in claim 1, claim 1 is directed to a method by which value is transferred between two users. The first user requests transfer of a quantity of value to the second user, identifying the second user by a telephone number. The first user's account is accessed, and funds are transferred from that account to an account belonging to the second user.

Applicants' representative can find no teaching, mention, or suggestion in Nikander of such a method or system. First, as clearly stated in the Summary of the Invention section of Nikander, and as shown in the many figures included in Nikander, Nikander discloses a method by which an Internet Service Provider ("ISP") (*see* Abstract, line 4 and Summary of the Invention, line 53 of column 2) intercepts a payment request

directed by a merchant (column 2, lines 22-24) to a user through the Internet. The merchant identifies the user by an Internet-Protocol address, not by a telephone number. Applicants' representative can find no teaching or suggestion that the payment request includes a telephone number, or that the user is identified by a telephone number. It is presumably the responsibility of the ISP, and not the merchant, to translate an IP address to a telephone number, and that translation occurs within the ISP in order to forward an Internet communication through the telephone network to a user's computer. The merchant is not taught or suggested by Nikander as identifying the user by a telephone number. Second, Nikander's method involves the ISP sending electronic payment to the merchant, rather than transferring value from the user's account. In Nikander, the ISP adds charges to the user's telephone bill, rather than transferring value from a user's account. Third, the electronic payment is sent by the ISP to the merchant, and is not transferred to the merchant's account, according to Nikander's Summary of the Invention, cited by the Examiner.

The rather large differences between the currently claimed embodiments of the present invention and Nikander are related to the fact that Nikander desires to facilitate electronic payment by having ISPs send electronic payment to merchants and charge user's phone bills, while, by contrast, the currently disclosed methods and systems are directed to a third-party transfer service that serves as an intermediary between telephone users, carrier services, and financial institutions. In the current application, the funding manager server (48 in Figure 2) is stated to have access to users' accounts in financial institutions (52 in Figure 2) to enable the funding manager server to directly access users' accounts, and is connected to carrier services (46A-C in Figure 2) to enable the funding manager server to transfer funds from one account to another account in response to telephonic requests. By contrast, Nikander's disclosed method is carried out by an ISP, and Applicants' representative can find no mention in Nikander that the ISP has access to any accounts, either user telephone accounts or user accounts in financial institutions. Instead, Nikander's ISP sends electronic money, presumably from an ISP account, and charges a user's telephone account for services rendered, presumably by the same carrier-interface that allows the ISP to charge for other services.


Independent claims 21 and 31 of the current application contain language similar to that contained in claim 1, and are not anticipated by Nikander for the same reasons that claim 1 is not anticipated by Nikander. None of the dependent claims are anticipated by Nikander, since the independent claims 1, 21, and 31, from which they depend, are not anticipated by Nikander.

35 U.S.C. § 103(a) Rejections

There is no obvious modification of Nikander's disclosed system that would produce the currently claimed system and method. Nikander is directed to intercepting, by an ISP, merchant payment requests sent via the Internet to customers, sending of electronic payments by the ISP to merchants on behalf of ISP clients, and charging users' telephone bills for services provided. By contrast, the currently claimed invention is directed to a method by which telephones users can exchange value by transferring value directly from a first user's account to a second user's account via telephone communications. Applicants' representative can find no mention or suggestion in Nikander of a funds management server that would transfer funds between telephone users' accounts. Nikander, by contrast, is concerned with communications between users' computers and merchants' computers, and Nikander does not access users' accounts.

In Applicant's representative's opinion, all of the claims remaining in the current application are clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
Peeyush Ranjan and Niraj A. Shah
Olympic Patent Works PLLC

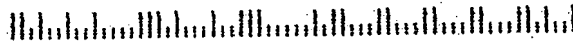
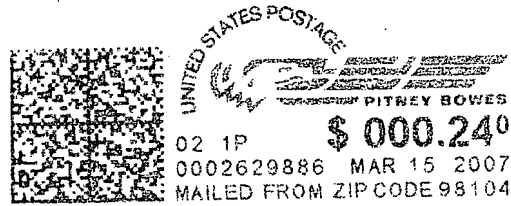

Robert W. Bergstrom
Registration No. 39,906

Enclosures:

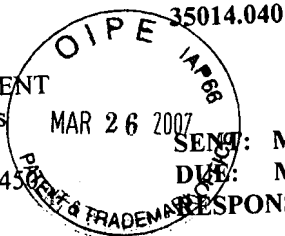
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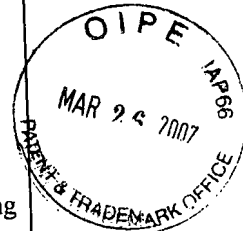


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P.O. Box 1450
Alexandria, VA 22313-1450



SENT: March 15, 2007
DUE: March 15, 2007
RESPONSE

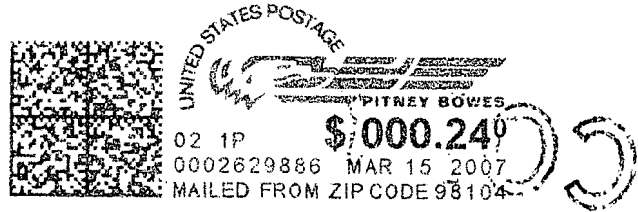
Date Stamp



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OLYMPIC PATENT WORKS PLLC



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